



CCJE-BU(2021)1

Strasbourg, 21 January 2021

CONSULTATIVE COUNCIL OF EUROPEAN JUDGES (CCJE)

Questionnaire for the preparation of the CCJE Opinion No. 24 (2021):

**“Evolution of the Councils for the Judiciary
and their role for independent and impartial judicial systems”**

*Please in your answers do not send extracts of your legislation
but describe the situation in brief and concise manner.*

General

1. Is there a Council for the Judiciary in your judicial system?	<input checked="" type="radio"/> yes <input type="radio"/> no
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2. What is the exact title/denomination of this body? **The Supreme Council of Judicature**

3. This question should be answered by members from both legal systems with and without a Council for the Judiciary: Which department or body - for example the Council for the Judiciary (often denominated as High Judicial Council (HJC)) or Ministry of Justice (MoJ) - is responsible for or is in position to perform the following tasks? More than one institution might be involved, so more than one box can be ticked.

Defending and fostering the independence of judges and the judiciary/the rule of law	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Supreme Court
Defending judges/the judiciary against public attacks	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> Association of Judges

	<input checked="" type="checkbox"/> other, please specify The Supreme Court
Administration of the judiciary	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> Association of Judges <input checked="" type="checkbox"/> other, please specify The Supreme Court
Selection of new judges	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> A special Judicial Appointment Body <input checked="" type="checkbox"/> other, please specify The Supreme Council of Judicature
Selection of judges for promotion	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> A special Judicial Appointment Body <input checked="" type="checkbox"/> other, please specify The Supreme Council of Judicature
Evaluation of judges	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> Association of Judges <input checked="" type="checkbox"/> other, please specify The Supreme Council of Judicature
Evaluation of court performance	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board <input type="checkbox"/> Association of Judges <input checked="" type="checkbox"/> other, please specify The Supreme Court
Conducting disciplinary procedures	<input type="checkbox"/> HJC <input type="checkbox"/> MoJ <input type="checkbox"/> Parliament <input type="checkbox"/> Court Presidents <input type="checkbox"/> bodies within individual courts <input type="checkbox"/> Judicial Administration Board

	<input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Supreme Council of Judicature
Drafting and enforcing a code of ethics	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Supreme Court
Public relations/media coverage for the judiciary, or individual courts	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Supreme Court
Providing input on legislative projects	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Supreme Court
Training of judges	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> Association of Judges <input checked="" type="radio"/> other, please specify The Cyprus Judicial Training School of the Supreme Court
IT, including digitalisation of the judiciary and online hearings	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts <input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> other, please specify The Deputy Ministry of Research, Innovation and Digital Policy, in cooperation with the Supreme Court
The allocation of financial resources to the judiciary including individual courts	<input type="radio"/> HJC <input type="radio"/> MoJ <input type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> bodies within individual courts

	<input type="radio"/> Judicial Administration Board <input checked="" type="radio"/> other, please specify The Ministry of Finance
Salaries of judges	<input type="radio"/> HJC <input type="radio"/> MoJ <input checked="" type="radio"/> Parliament <input type="radio"/> Court Presidents <input type="radio"/> Bodies within individual courts <input type="radio"/> Judicial Administration Board <input type="radio"/> other, please specify

- If there is a Council for the Judiciary in your country, has it other duties not mentioned here? **Yes, The Supreme Council of Judicature.** Is it in a position to appoint or remove presidents of courts to and from the office? **Yes.** Is there additional information that would be useful to understand the role of the Council for the Judiciary within your country? **No.**
- If there is no Council for the Judiciary in your country, are there other important institutions, and formal or informal rules which are necessary to understand how the judiciary functions in your country?

Legal basis

4. Please explain which legal sources regulate the following aspects of the Council for the Judiciary in your legal system

Existence of a Council for the Judiciary	<input checked="" type="radio"/> Constitution <input type="radio"/> Law <input type="radio"/> other, please specify
Composition	<input checked="" type="radio"/> Constitution <input type="radio"/> Law <input type="radio"/> other, please specify
Selection of members including tenure and removal during tenure	<input checked="" type="radio"/> Constitution <input type="radio"/> Law <input type="radio"/> other, please specify
Tasks	<input checked="" type="radio"/> Constitution <input type="radio"/> Law <input type="radio"/> other, please specify
Resources, funding, administration	<input type="radio"/> Constitution <input type="radio"/> Law <input checked="" type="radio"/> other, please specify none
Independence	<input checked="" type="radio"/> Constitution <input type="radio"/> Law <input type="radio"/> other, please specify

- Are there other formal or informal rules which are necessary to understand the role and functioning of the Council for the Judiciary in your country? **No.**

Composition and Membership

5. The composition of the Council for the Judiciary:

- How many members are there? **13**
 - Are there ex-officio members? **Yes, all the members of the Supreme Court**
 - How many members must be judges? **All members are Judges. They are the Judges of the Supreme Court.** Do they need specific qualifications or experiences, must they come from different court systems or instances? **N/A**
 - Can/must non-judges be members of the Council? Please specify (number, qualification/specific functions) **No.**
6. Please describe the procedure of appointment:
- Who nominates the members? (judges or other institutions or authorities – please specify) **The only members are the Judges of the Supreme Court**
 - Please describe the appointment system **N/A**
 - If members are elected by Parliament, are these members elected with a simple or qualified majority? **N/A**
7. How is integrity and independence of members ensured in the selection process and during their time on the Council? **N/A.**
8. How is the President and/or Vice-President of the Council selected and appointed? **N/A.**
9. What is the term of office for a member of the Council? **As long as the person is a Judge of the Supreme Court.**
10. May a member be removed from office against his/her will and, if so, under what circumstances? **No. Only if the person ceases to be a Judge of the Supreme Court.**

Resources and management

11. Which body provides funding for the Council for the Judiciary?	<input type="radio"/> MoJ <input type="radio"/> Parliament <input checked="" type="radio"/> other, if so specify None.
12. Is the administration of the Council for the Judiciary independent from other branches of government?	<input checked="" type="radio"/> yes <input type="radio"/> no

Relations within the Council for the Judiciary and within the judiciary

13. Have there been any severe internal conflicts within the Council for the Judiciary that have seriously affected its functioning? **No.** If yes, what was the character of these conflicts and have they been solved? **N/A.**
14. Have there been conflicts between the Council for the Judiciary and the judiciary? **No.** Have judges felt that the Council for the Judiciary did not represent their interests? **No.** If yes, why and has the conflict been solved? **N/A.**

Relations with other branches of government, governmental bodies, civil society and media

15. Have there been conflicts between the Council for the Judiciary and the executive or legislative? **No.** If yes, what was the character of these conflicts and have they been solved? **N/A.**
16. What legal and political means may the Council of Judiciary in your judicial system employ if it feels that its constitutional role has been infringed? **Refer the matter to the Supreme Court, which is also the Supreme Constitutional Court.**
17. How does the Council for the Judiciary in your judicial system interact with anti-corruption bodies? **It does not.**
18. How does the Council for the Judiciary in your judicial system interact with NGOs? **It does not.**
19. How does the Council for the Judiciary in your judicial system interact with associations of judges?
20. How does the Council for the Judiciary in your judicial system interact with media? **It does not.**
21. What, if any, is the role of the Council for the Judiciary in the vetting of judges? **The Supreme Council of Judicature appoints all Judges (except the Judges of the Supreme Court) and is the body responsible for the promotion of Judges.**

Challenges, developments

22. Does the Council for the Judiciary in your judiciary face particular challenges? If so, what is the character of these challenges? These challenges might have arisen – among other reasons - because of political and economic developments, societal changes, corruption, the Covid-19 pandemic or technological challenges such as the digitalisation of the judiciary. **N/A.**
23. Has the role of the Council for the Judiciary in your judicial system changed in recent years? **No.** If so, how? **N/A.**
24. Have there been reforms concerning the Council for the Judiciary in your judicial system recently? **No.** If so, what were the objectives of these reforms and have they been successful? **N/A.**
25. In case your judicial system does not have one, is there a discussion to introduce a Council for the Judiciary? If so, what are the arguments made in favour and against the introduction of a Council for the Judiciary. Do you think that there are challenges in your judicial system a Council for the Judiciary might help to solve? Is it likely that such a Council will be introduced? **N/A.**